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Lid on Technology Flow Abroad Said

Exceed Recommendations

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WASHINGTON, Feb. 26 — A staff report to the National Academy of Sciences has concluded that the Reagan Administration's effort to restrict the flow of technology to foreign nations is far more restrictive than the limits recommended by an academy panel 18 months ago.

The report also said the new rules were being adopted on the basis of incomplete and possibly erroneous information. It did not assess their influence on the flow of technology abroad.

The report was prepared by the staff of the National Research Council, an arm of the National Academy of Sciences. The academy is a private, non-profit organization under Congressional charter.

The staff was asked to follow up a study completed in September 1982 by a 19-member panel of leading scientists, military contractors and former Pentagon officials, headed by Dr. Dale R. Corson, president emeritus of Cornell University.

Exports and Ideas

That study said there appeared to be a "substantial and serious problem" of technology leaking to Eastern bloc nations as a result of the legal sale of sensitive equipment, as well as illegal sales and espionage. But it said no evidence that open scientific discussion had damaged United States security had been uncovered.

The Corson panel recommended a strategy of building "tall fences around narrow areas," proposing specific restrictions in certain Government contracts with individual researchers and corporations while warning that clamping down on the free flow of scientific information "could be extremely damaging to overall scientific and economic advance as well as to military progress."

The new report said that, since then, the Administration had adopted or proposed tighter export regulations and had increased its enforcement efforts. The report said the Government also had increased its attention on scientific exchange, including the sending of agents to scientists' meetings. As a re-

sult, it said, "some members of the scientific community remain uncertain as to their rights and obligations concerning the publication and or public communication through conferences and seminars of sensitive technical data."

The "stringency and substantive reach" of the Administration's adopted or proposed restrictions, the staff said, "go considerably beyond what was recommended in the original study."

Little Change in 18 Months

The authors of the staff report, Michael B. Wallerstein and Lawrence E. McCray, said that in December and January they received a top-secret briefing on the extent of technology transfer as a result of scientific communications.

"We can report on this basis that the state of empirical knowledge about technology leakage and its effects on national security has not changed significantly in the 18 months since the Corson panel was briefed 18 months ago by the U.S. intelligence community," the report said.

"It appears that no major initiative has been undertaken to characterize better either the overall leakage problem (e.g. the relative importance of various sources, channels, and types of information) or the relative importance of scientific communication within the larger picture."

'Lack of Coordination'

The report said delays in the completion of a National Security Council study of the problem had resulted in a "continuing lack of effective Government-wide coordination" that created important risks.

For instance, the staff report said, individual agencies, such as the Department of Defense, are pushing ahead with their own efforts in stemming the technology flow without balancing a number of competing goals such as national security, domestic scientific and technological productivity and freedom of expression.

One positive finding was that the intelligence community reported no discoveries "during this period of cases in which loss through the U.S. scientific community has led to identifiable damage to national security."

But the report said the Administration had continued to carry out "a number of major new policy thrusts" such as a provision in the 1984 Defense Authorization Act that permits the Secretary of Defense to protect certain kinds of unclassified technical data.

A second development noted by the report was that the Commerce Department had drafted proposed regulations that would require a validated export license for virtually all "critical technical data."

"Since the definition of 'export' includes such things as the presentation of papers at symposia where foreigners are present, the hiring of a foreign researcher, and so on, the proposed rules seem to have the potential to have a significant effect on the U.S. scientific enterprise," the report said.

Another Government effort to control research not funded by the Government concerned an arrangement between the National Security Agency and the American Council on Education, in which academic researchers agreed to submit their research papers on cryptography for prepublication review by the National Security Agency. The agency is the nation's largest and most secretive spy agency.

The report said that so far 175 reports about cryptography, the science of coding and decoding information, had been submitted. As a result of Government challenges to nine papers, six were modified and three were withdrawn.